



UNITED STATES PATENT AND TRADEMARK OFFICE

M  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,712	10/05/2001	Christopher William Zimman	CRYPT1120	5072

25548            7590            01/15/2003

TERRANCE A. MEADOR  
GRAY CARY WARE & FREIDENRICH, LLP  
4365 EXECUTIVE DRIVE  
SUITE 1100  
SAN DIEGO, CA 92121-2133

EXAMINER

DUONG, THO V

ART UNIT

PAPER NUMBER

3743

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/972,712	ZIMMAN, CHRISTOPHER WILLIAM
	Examiner  Tho v Duong	Art Unit  3743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 October 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1-19 and 30 is/are allowed.
- 6) Claim(s) 20-23 and 26 is/are rejected.
- 7) Claim(s) 24,25 and 27-29 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in–
  - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
  - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claim 26 is rejected under 35 U.S.C. 102(e) as being anticipated by Furuya (US 6,504,720). Furuya discloses (figures 5) a method of manufacturing an electrical system comprising attaching a thermal conductor (20) to a protected device (7); and enclosing the protected device (7) in a security material (30) to form a security envelope having a fold formed by two or more section (30,32); and the thermal conductor (20) positioned between the sections.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-23 are rejected under 35 U.S.C. 103(a) as obvious over Brodsky et al. (US 6,268,567). Brodsky discloses (column 1, lines 18-51) a tamper responsive system comprising a protected device (crypto-card) being enclosed within a tamper detection mesh; vent tubes are protruded through folds in the mesh to allow air flow between an internal area of the enclosure and an external atmosphere. It is inherency that airflow within the vent tubes will act as a thermal conductor to channel heat from the protected device to the atmosphere, wherein a thermal connection between the protected device and the thermal connector is a heat radiation between the protected device to the air flow. It is also inherency that heat transfer from the airflow to the atmosphere is from both convection and conduction, since atmosphere is a huge heat sink, which includes colder flowing air.

***Allowable Subject Matter***

Claims 1-19 and 30 are allowed.

Claims 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Villani (US 5,329,426) discloses a heat dissipation system that has a security envelope surrounding a heat sink and heat source.

Batten, Jr, et al. (US 6,035,513) discloses assemblies of electronic devices and flexible container therefore.

Art Unit: 3743

Messmer et al. (US 6,002,584) discloses a heat protective enclosure and heat protected electronic device.

MacPherson (US 5,285,734) discloses a security enclosure that has folded, flexible sheet extending over the whole area of the enclosure.

MacPherson (US 5,858,500) discloses a tamper respondent enclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Tho Duong whose telephone number is (703) 305-0768. The examiner can normally be reached on from 9:30-6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennet, can be reached on (703) 308-0101. The fax phone number for the organization where this application or proceeding is assigned is (703)308-7764.

Any inquiry of a general nature or relating to status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0861.

Epstein III, et al. (US 6,396,400) discloses a security system and enclosure to protect data contained therein.

Stegenga (US 4,652,969) discloses a security universal housing arrangement for enclosing electronic circuits.

Tho Duong

January 10, 2003

Henry Bennett  
Supervisory Patent Examiner  
Group 3700